

AFFIDAVIT IN SUPPORT OF
APPLICATIONS FOR SEARCH WARRANTS

I, Landon W. Swearngin, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with Homeland Security Investigations (“HSI”), a component of Immigration and Customs Enforcement (“ICE”) and have been so employed since September 2019. I hold a Bachelor of Science in Criminology and a Master of Science in Defense and Strategic Studies from Missouri State University. I am a graduate of the Federal Law Enforcement Training Center (“FLETC”), where I completed the Criminal Investigator Training Program (“CITP”) and Homeland Security Investigations Special Agent Training (“HSISAT”). At FLETC, I was trained in, amongst other things, investigating drug smuggling, drug trafficking, and other federal violations regarding the manufacturing, distribution, and possession of controlled substances. I am currently assigned to investigate transnational drug trafficking organizations (“DTOs”) and have been assigned to my current group since August 2020. As part of my duties, I have participated in the execution of search and seizure warrants. I have also been involved in the investigation described herein.

2. In connection with my official duties, I investigate criminal violations, to include, without limitation, 18 U.S.C. §§ 924 and 1956; and 21 U.S.C. §§ 841, 843, 846, and 856. During my law enforcement career, I have become familiar with DTOs’ methods of operation, including DTO structure and the transportation, storage, and distribution of controlled substances. I have also learned how drug traffickers transmit information to one another, collect dues/money, and launder money, and their methods of conducting surreptitious meetings and communications. I am personally familiar with, or have used, all normal methods of investigation throughout my career

including, but not limited to, visual surveillance, electronic surveillance, informant and witness interviews, social media analysis, undercover operations, and Title III/wiretap investigations.

3. I have conducted analysis of numerous telephone billing records for telephones used by drug traffickers and DTO members, as well as numerous social media accounts and the communications sent to and from those accounts. Consequently, I am familiar with the ways in which drug traffickers and others engaged in criminal activity operate their illegal enterprises, including, but not limited to, their use of cellular telephones and their use of numerical codes and code words to conduct their transactions. I know that gangs and criminal enterprises often further their activities by using social media private messages, multiple cellular phones, multiple insulated contacts, pre-paid cellular phones, and phones designated to be used only for incoming or outgoing calls, which is also known as compartmentalization. I know that drug traffickers frequently use cellular telephones subscribed to them in false names. The use of telephones in this manner is designed to help avoid detection by law enforcement.

4. I know, based upon my training and experience, that gangs and other types of criminal enterprises routinely use several other operational techniques. These practices are designed and implemented to achieve two goals: first, the successful facilitation of the DTO's illegal activities, which may consist of the transportation and distribution of controlled substances, firearms, or other contraband, and the collection of the proceeds of that illegal activity; and second, minimizing the exposure of DTO members, particularly those operating in management roles, from investigation and prosecution by law enforcement.

5. Through my training and experience in the investigation of drug trafficking offenses and through interaction with other law enforcement officers who investigate such offenses, I know the following:

- a. that individuals involved in drug trafficking maintain books, records,

receipts, notes, correspondence, ledgers, and other records, relating to the transportation, ordering, and/or distribution of controlled substances, even though sometimes in code, and such individuals commonly “front” (deliver on consignment) controlled substances and maintain such records in doing so;

b. that it is common practice for drug traffickers to store contraband, proceeds of sales, and records of transactions in secure locations within their residence(s) or other accessible properties, for ready access and/or to conceal them from law enforcement;

c. that persons involved in drug trafficking conceal in their residences or other property caches of said items, large amounts of currency, financial instruments, and other assets of value which are the proceeds of transactions; and evidence of financial transactions relating to obtaining, transferring, secreting, or spending of large sums of money related to engagement in drug trafficking activities; that persons involved in drug trafficking often purchase substantial assets including cars, boats, and homes with the proceeds of transactions in manners to conceal the true source of the funds; and that courts have recognized that unexplained wealth is probative as evidence of crimes motivated by greed, in particular, drug trafficking.

d. that persons engaged in drug trafficking maintain on the premises, paraphernalia for packaging, cutting, weighing, and distributing controlled substances, and equipment used in the packaging, weighing, and otherwise preparing for the distribution of controlled substances;

e. that persons engaged in drug trafficking maintain on the premises addresses and telephone numbers in books or papers and in contact lists in cell phones which reflect the names, addresses, and/or telephone numbers for their sources, customers, and associates related to their trafficking activities, even though sometimes in code;

f. that persons engaged in drug trafficking maintain on the premises digital photographs and/or videos of co-conspirators, associates, assets, and controlled substances;

g. that persons involved in drug trafficking keep and maintain firearms to protect themselves and their inventory from other drug traffickers and those who would seek to rob or steal their assets from them; and

h. that persons who engage in drug trafficking utilize cell phones and other communication devices in order to store contact lists, share images/videos of their products, and to arrange for delivery and distribution of said items.

6. Furthermore, based on my training and experience, I know that drug trafficking at the retail level is largely a cash business. I know that drug traffickers often generate large amounts of unexplained wealth, and through financial transaction, attempt to conceal, disguise or legitimize unlawful proceeds through domestic and international banks and their attendant services, securities brokers, professionals, such as attorneys and accountants, casinos, real estate, shell corporations and business fronts, and otherwise legitimate businesses which generate large quantities of currency. In addition, drug traffickers often use drug proceeds to purchase additional narcotics to perpetuate and promote the ongoing conspiracy. I know that drug traffickers often use mobile phones to communicate with co-conspirators in furtherance of their money laundering activities.

7. The facts in this affidavit are based on my own investigation and information provided to me by other law enforcement officers. Because this affidavit is submitted for the limited purpose of establishing probable cause to search the locations further described in Attachment A for the items listed in Attachment B, not all of the information known to me about this investigation has been included in this affidavit.

PURPOSE OF AFFIDAVIT

8. I am seeking to search a 2003 Cadillac Escalade bearing Kansas tag 321MVV and vehicle identification number (“VIN”) 1GYEK63N43R256002, located in the Dunbar Gardens parking lot, near the residence of Tina CRUCES, located at 3352 Colorado Avenue, Kansas City, Missouri (hereinafter the “**Target Vehicle**”), which is more fully described in Attachment A, for the items listed in Attachment B. I am seeking evidence related to violations of 21 U.S.C. §§ 841(a)(1) and 846, that is, distribution of controlled substances, possession with the intent to distribute controlled substances, and conspiracy to distribute controlled substances; 21 U.S.C. § 843(b), that is, use of a communication facility to facilitate a drug trafficking crime; 18 U.S.C. § 924(c), that is, possession of a firearm in furtherance of a drug trafficking crime; 18 U.S.C. § 1956(h), that is, conspiracy to commit money laundering; and 18 U.S.C. § 2, that is, aiding and abetting the foregoing offenses.

9. Based upon the facts set forth herein, I have probable cause to believe that a search of the **Target Vehicle** lead to evidence of violations of 21 U.S.C. §§ 841(a)(1), 843(b), and 846; and 18 U.S.C. §§ 2, 924(c), and 1956(h); as well as the identification of individuals who are or have been engaged in the commission of those crimes.

PROBABLE CAUSE

10. The United States, including Homeland Security Investigations (“HSI”), is conducting a criminal investigation of **Tina Marie CRUCES**, and others known and unknown, regarding violations of 21 U.S.C. §§ 841(a)(1) and 846.

11. Since February 2020, HSI Kansas City has been investigating a bulk cash smuggling and drug trafficking organization operating in the Kansas City metropolitan area. Members of the drug trafficking organization are suspected of trafficking and distributing large quantities of narcotics in the Kansas City area to include heroin, methamphetamine, cocaine, and

marijuana. During the course of this investigation, HSI Kansas City obtained multiple Title III wiretaps of subjects of this investigation, over which investigators intercepted numerous communications relating to drug trafficking activity.

12. On June 1, 2022, a federal grand jury seated in Kansas City, Missouri, returned an indictment charging **Tina Marie CRUCES**—a member of the drug trafficking organization—with a violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 846, that is, conspiracy to distribute 500 grams or more of methamphetamine and one kilogram or more of heroin, among other offenses. A warrant for **CRUCES's** arrest was subsequently issued.

13. On June 8, 2022, investigators with the Jackson County Drug Task Force (“JCDTF”) executed the federal arrest warrant for **CRUCES** at her residence located at 3352 Colorado Avenue, Kansas City, Missouri, at approximately 6:30 a.m. 3352 Colorado Avenue is part of an apartment complex known as Dunbar Gardens. **CRUCES** was located and placed under arrest.

14. Law enforcement was aware that **CRUCES** owned a Cadillac Escalade with Kansas plates 321MVV (the **Target Vehicle**). **CRUCES** has previously been surveilled operating the **Target Vehicle** and it is registered to her. Investigators located the vehicle in the parking lot of the apartment complex. JCDTF Detective Painter ran Harlow, a certified narcotics K9, around the **Target Vehicle**. Harlow was most recently certified in May 2022 through the National Police Canine Association. The K9 positively alerted to the passenger side door of the Cadillac Escalade, indicating the presence of narcotics. K9 Daygoro has previously proven reliable in detecting the odor of narcotics. Detective Painter observed that the passenger side window was partially rolled down and observed a cell phone in the center console.

15. Based on the foregoing, I believe that the **Target Vehicle** contains evidence of drug trafficking activity and other associated offenses, in violation of 21 U.S.C. §§ 841(a)(1), 843(b),

Search Warrant No.: 22-SW-00367-JAM and 846; and 18 U.S.C. §§ 2, 924(c), and 1956(h). Based on the foregoing, I believe there is probable cause to request that the Court issue a search warrant directing the search of the location further described in Attachment A for the items described in Attachment B, which are contraband or evidence, or are otherwise used to facilitate or promote, or which constitute proceeds of the crimes listed above.

16. I further believe evidence of drug trafficking activity is likely to be found where subjects of this investigation reside or in their vehicles, including mobile phones. Such devices may be the instrumentalities of violations of 21 U.S.C. § 843(b).

CONCLUSION

17. Based on my training and experience, and through the intelligence gathered in the course of this investigation, I expect to find the evidence, fruits, instrumentalities, and contraband described herein and in Attachment B within the **Target Vehicle**.

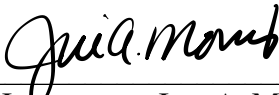
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Landon Swearngin
Special Agent
Homeland Security Investigations

Subscribed and sworn to before me via telephone or other reliable electronic means on this
8th day of June 2022.


HONORABLE JILL A. MORRIS
United States Magistrate Judge
Western District of Missouri

